

APPENDIX TAB E

October 20, 2009 correspondence to AAA

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October 20, 2009

Via E-Mail

Ms. Alyson DiGiuseppe
Manager of ADR Services
American Arbitration Association
1750 Two Galleria Tower
13455 Noel Road
Dallas, Texas 75240

Re: Case No. 70 198 Y 00168 09
Tricon Energy, Ltd. v. Vinmar International Ltd.

Dear Ms. DiGiuseppe:

Vinmar International Ltd. ("Vinmar") continues to object to the American Arbitration Association's exercise of jurisdiction over the parties' dispute because there is no agreement to arbitrate between Vinmar and Tricon Energy, Ltd. ("Tricon") and Vinmar has not otherwise agreed to submit the dispute to arbitration. Subject to and without waiver of its objection to jurisdiction, attached are Preliminary Hearing Calendar Forms showing Vinmar's counsel's availability/unavailability during the weeks of October 26, November 2, and November 16, 2009.

Very truly yours,


Stephen H. Lee

SHL/mm

cc: Mr. George R. Diaz-Arrastia, *via* e-mail
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